

Docket Item #4
BZA CASE #2007-0012

Board of Zoning Appeals
June 14, 2007

ADDRESS: 3307 ELMORE DRIVE
ZONE: R-8, RESIDENTIAL
APPLICANT: DAVID AND LORRAINE KEIR, OWNERS

ISSUE: Special exception to construct a covered open porch in the required front yard.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-306(A)(1)	Front Yard	30.00 ft	21.20 ft	8.80 ft

BOARD OF ZONING APPEALS ACTION OF JUNE 14, 2007: On a motion to approve by Mr. Goodale, seconded by Mr. Goodale, the special exception was approved with conditions 1, 2 and 3 listed in the staff report by a vote of 5 to 0.

Reason: The application met the criteria for a special exception as outlined in the staff report.

Speakers:

David Kier, owner, made the presentation.

The staff **recommends approval** of the requested special exception because the request meets the criteria for a special exception and with the following conditions: (1) that the porch shall remain open, (2) no second-story structure shall be permitted above the front porch and (3) if balusters installed shall be evenly spaced to leave at least 50 percent of the perimeter length of railings open.

If the Board decides to grant a special exception, it should contain the conditions under the department comments. Special exceptions must also be recorded with the deed of the property in the City's Land Records Office prior to the release of a building permit.

I. Issue

The applicants propose to construct a covered front porch at 3307 Elmore Drive to within 21.20 feet of the front property line facing Elmore Drive.



II. Background

The subject property is one lot of record with a lot width of 60.00 feet, a depth of 126.08 feet and a lot area totaling 6,770 square feet. A two-story brick detached dwelling with a basement is located 29.20 feet from the front property line, 10.80 feet from the east side property line, 14.80 feet from the west side property line and 54.00 feet from the rear property line. Real estate assessment records indicate the house was built in 1939. The lot is substandard as to the minimum lot area in the R-8 zone requiring 8,000 square feet.

III. Description

The applicants propose to construct a one-story covered front porch that measures 21.00 feet across the front building wall and projects 8.00 feet into the required front yard facing Elmore Drive. The front porch totals 168.00 square feet of new floor area. The proposed porch is approximately 12.50 feet in height from grade to the top of the porch roof. The proposed porch will be placed within 21.20 feet of the front property line facing Elmore Drive, but comply with required side yard setbacks facing the east and west property lines. The proposed porch is eligible under the newly adopted front porch special exception rules. The applicants request a special exception to reduce the required front yard from 30.00 feet to 21.20 feet (a reduction of 8.80 feet).

There are similar style front porches on Elmore Drive and elsewhere in the North Ridge/Beverly Hills neighborhood. The applicants have submitted photographs of built porches consistent with the requirement that the proposed porch is compatible with the existing building architecture, neighboring properties and neighborhood character, and complies with the following requirements:

- (a) No portion of the porch extends beyond the end walls of the front building façade, except where the resulting lot and structure retain a side or front yard that complies with the zone requirements.

- (b) The roof line of the porch shall be in scale with the existing building architecture.
- (c) No second floor balcony, deck or enclosed construction shall be permitted above the front porch.
- (d) A ground level covered front porch shall remain open, and shall at no time be enclosed with building walls, glass or screens; provided that railings, no higher than the minimum height required by the building code, and balusters evenly spaced sp as to leave at least 50 percent of the perimeter length of the railings open, shall be permitted.

The City has released a building permit (BLD#2007-00830) to construct a new two-story rear addition at the property. The new addition complies with the R-8 zoning regulations. If the new front porch is approved it to will comply with the R-8 zone floor area requirements. (Refer to floor area calculations.)

There have been no variances or special exceptions previously granted for the subject property.

IV. Master Plan/Zoning: The subject property is zoned R-8 and has been so zoned since adoption of the Third Revised Zoning Map in 1951, and is identified in North Ridge/Rosemont Small Area Plan.

V. Requested Special Exception:
Section 3-306(A)(1)

The R-8 zone requires a front yard setback of 30.00 feet. The proposed covered front porch will be located 21.20 feet from the front property line. The applicants request an reduction of 8.80 feet facing the front property line on Elmore Drive.

VI. Noncomplying structure

The existing building at 3307 Elmore Drive is noncompliant with respect to the following:

Yard Provision	Required	Provide	Noncompliance
Lot Area	8,000 sq. ft.	6,770 sq. ft.	1,230 sq. ft.
Front Yard	30.00 ft	29.20 ft	0.80 ft.

VII. Special Exceptions Standards

To grant a special exception, the Board of Zoning Appeals must find that the strict application of the zoning ordinance creates an unreasonable burden on the use and enjoyment of the property space. Section 11-1304 of the zoning ordinance lists standards

that an applicant must address and that the Board must affirm in order to grant a special exception of the zoning regulations.

1. Whether approval of the special exception will be detrimental to the public welfare, to the neighborhood or to the adjacent properties.
2. Whether approval of the special exception will impair an adequate supply of light and air to the adjacent property, or cause or substantially increase traffic congestion or increase the danger of fire or the spread of fire, or endanger the public safety.
3. Whether approval of the special exception will alter the essential character of the area or the zone.
4. Whether the proposal will be compatible with the development in the surrounding neighborhood.
5. Whether the proposed development represents the only reasonable means and location on the lot to accommodate the proposed structure given the natural constraints of the lot or the existing development of the lot.

VIII. Comparison of Proposed Porch with Zoning Regulations

	<u>Zoning Requirement</u>	<u>Proposal</u>	<u>Difference</u>
Min Length of Front Blding Wall	+50 %	+60 %	+ 10 %
Max Projection From Front Wall	8.00 ft	8.00 ft	--
Max Front Setback Allowed	15.00 ft	21.20 ft	- 6.20 ft

XI. Staff Conclusion

The proposed open covered front porch is in keeping with similar style front porches on Elmore Drive, the Beverly Hills neighborhood and North Ridge in general. Within the immediate neighborhood there are many similar style porches built (in compliance with the applicable zoning regulations or in the past by variance). No portion of the porch extends beyond the end walls of the front building façade; the roof line of the porch is in scale with the existing building architecture; and, no second floor balcony, deck or enclosed construction above the front porch is proposed.

Staff believes the applicants' proposal clearly meets the Council's intent of the zoning ordinance wish that the proposed porch must be compatible with the existing building

BZA CASE #2007-0012

architecture, neighboring properties and neighborhood character. The adjoining neighbors have been shown the porch plans and it is the staffs' understanding that the neighbors will provide a letter of support.

Staff **recommends approval** of the request for special exception.

DEPARTMENTAL COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

* The applicant is advised that if the variance is approved the following additional comments apply.

Transportation and Environmental Services:

F-1 No comments.

Code Enforcement:

C-1 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.

C-2 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).

C-3 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC)

Recreation (Arborist):

F-1 No trees are affected by this plan.

Historic Alexandria (Archaeology):

F-1 There is low potential for this project to disturb significant archaeological resources. No archaeological action is required.

Other Requirements Brought to the Applicant's Attention:

C-1 A wall check survey plat shall be submitted to Planning and Zoning when the building footprint is in place, pursuant to Alexandria City Code section 8-1-12.